

## REMARKS

Claims 1-14 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 103(a) Rejections:**

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Buican et al. (U.S. Patent 6,339,536) (hereinafter “Buican”) in view of Chen (U.S. Patent 6,473,295), and claims 3, 6, 7, 10, 13 and 14 as being unpatentable over Buican in view of Chen and further in view of Curtis et al. (U.S. Patent 6,424,523) (hereinafter “Curtis”). Applicant respectfully traverses these rejections for at least the following reasons.

**Regarding claim 1, contrary to the Examiner’s assertion, Buican in view of Chen fails to teach or suggest that *the frame includes a plurality of tabs arranged around the opening, wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening*.** The Examiner submits that Buican’s alignment tab (806) is analogous to Applicant’s tab, but admits that Buican teaches only one tab (806) and is silent as to an additional tab (806) around the opening (801). The Examiner relies on Chen to teach this limitation.

The Examiner submits that Chen teaches a shield bracket (130), wherein the bracket is slideable (column 4, lines 21-25) between a retaining (56) portion comprising a plurality of tabs and a surface (rear panel 50) of a frame (frame of chassis 20) to cover an opening (52), wherein the plurality of tabs are located around an opening (52). Applicant respectfully disagrees. First, bracket 130 of Chen is not analogous to the shield bracket of Applicant’s claims, as the Examiner suggests, but is a power supply bracket that includes a shield portion. **Chen’s power supply bracket clearly does not satisfy all the limitations of the shield bracket recited in claim 1.** For example, the power supply bracket, when in place, does not *cover an opening adjacent to a peripheral card slot* and

is not *configured for coupling to a peripheral card mountable in the slot*, as required by Applicant's claim. The power supply bracket is described in column 3, lines 26- 27, reproduced below.

Referring to FIG. 6, the power supply bracket 130 of the present invention is secured to the first opening 52 of the rear panel 50. The power supply bracket 130 comprises a vertical base 132 and a shield 134 extending perpendicularly from a side edge of the base 132. A connecting portion 136 extends inwardly from a top edge of the shield 134. A boss 138 extends inwardly from an outer edge of a central portion of the connecting portion 136, corresponding to the gap 60 of the rear panel 50. A lug 140 is formed on an end of the connecting portion 136 opposite to the base 132, for sliding within the L-shaped nick 56 of the rear panel 50. The bottom and the top of the connecting portion 136 are symmetrical.

It is clear from this passage, the drawings, and addition descriptions in Chen that power supply bracket 130 is not a shield bracket as recited in claim 1. In addition, the Examiner has misquoted the limitations of Applicant's claim in her remarks regarding Chen's teachings. Claim 1 does not recite that the bracket is slidable between a retaining portion comprising a plurality of tabs and a surface of a frame, as the Examiner submits. Claim 1 recites "the shield bracket is slidable between a retaining portion of each of the plurality of tabs and a surface of the frame." As described above, element 56 of Chen is not a retaining portion of a tab, as required by Applicant's claims, since no tab is described in this passage. Instead, element 56 is described as an "L-shaped nick"(i.e., a hole) in the rear panel 50, which the Examiner equates to Applicant's "surface of a frame."

Furthermore, the Examiner's citation in Chen, column 4, lines 21-25, does not teach that the bracket is slidable between a retaining portion comprising a plurality of tabs and a surface of a frame, as the Examiner suggests. This passage states, "The lug 140 of the power supply bracket 130 is inserted into the L-shaped nick 56 of the rear panel 50. The power supply bracket 130 is pressed inwardly, causing the lug 140 to slide within the nick 56 and the boss 138 to enter the gap 60 of the rear panel 50." Thus, this passage describes that *lug 140* is "slidable", not power supply bracket 130. In fact, the Chen reference, when taken as a whole, describes assembly of a computer enclosure in a

manner that does not include any components (e.g., the chassis, panels, covers, brackets, etc.) that are slidable between a retaining portion of each of a plurality of tabs and a surface of a frame. Chen's lug 140 (a fastener) is the only element of the assembly described, or illustrated, as "slidable" during assembly, and it is clearly not slidable between a retaining portion of each of a plurality of tabs and a surface of a frame (such as rear panel 50).

**Applicant notes that it is not at all clear which element(s) of Chen the Examiner equates with the plurality of tabs of Applicant's claims, as she has not identified, in her remarks, any specific element of Chen that teaches the plurality of tabs.** The Examiner's broad references to FIGs. 2 and 6 in teaching the plurality of tabs does not include a reference to any specific element of these figures. The Examiner refers to element 56 as "a retaining portion", but this element in the claims is actually recited as "a retaining portion of each of the plurality of tabs." The Examiner misquotes this limitation as "a retaining portion comprising a plurality of tabs," which is clearly not true of element 56. Sill 54, in which L-shaped nick 56 is cut, also does not teach or suggest the plurality of tabs of Applicant's claims, as it is clear that power supply bracket 130 cannot, and does not, slide between L-shaped nick 56 (which the Examiner equates with "a retaining portion") and rear panel 50 (which the Examiner equates with "a surface of a frame"), as the Examiner suggests.

**Applicant also asserts that there is no element in Chen that teaches or suggests, whether considered alone or in combination with Buican, the frame includes a plurality of tabs arranged around the opening, wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening, as recited in claim 1, and the Examiner has not provided any evidence that this limitation is taught or suggested by the cited references.** In fact, Applicant notes that sills 54 and the connecting portions of rear panel 50 are explicitly described as being symmetric around the opening 52 (see, e.g., column 1, lines 40-42 and 55-56; and claim 1 of Chen.) Therefore, Applicant asserts that Buican in view of Chen clearly does not teach or suggest a shield bracket (or a power supply bracket) slidable between a retaining

portion of each of a plurality of tabs and a surface of the frame, or a plurality of tabs arranged around the opening, wherein the tabs on one side of the opening are staggered with respect to the tabs on the other side of the opening, as the Examiner suggests. Therefore, the combination of Buican and Chen does not teach or suggest these limitations of Applicant's claim 1.

The Examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize tabs as taught by Chen, around the opening of Buican in order to provide a means of easily securing or attaching the bracket of Buican around the opening of the frame 101. Applicant previously argued that tab 806 of Buican is not used as a securing means for a shield bracket, as the Examiner had suggested. Instead, it is used for aligning I/O shield bracket 701 during mounting.

In the Response to Arguments section of the Office Action mailed October 16, 2006, the Examiner "notes that the tab (806) assisting in securing the bracket (701) to be secured to the chassis frame (101) and additionally notes that Chen teaches a plurality of tabs (see, fig. 2 of Chen) of a retaining portion (56)." **Applicant asserts that the Examiner's statement that tab 806 assists in securing the bracket to the frame is completely unsupported in the reference.** There is nothing in the drawings or in the description of this tab to indicate that tab 806 assists in securing the bracket to the frame. The only description of tab 806 is contained in column 5, lines 36-43:

Referring to FIG. 8, window ledge 801 includes an alignment tab 806 that when I/O shield bracket 701 is removably attached to window ledge 801 resides in notch 709. The shielding tab (not shown) on the opposite side of I/O shield bracket 701 does not include a corresponding notch. Thus, alignment tab 806 prevents I/O shield bracket 701 from being installed up side down with respect to the computer system chassis.

There is nothing in this passage (or in FIG. 8) that teaches or suggests that when tab 806 "resides in notch 709" that it assists in securing the bracket to the frame, or even that it fits snuggly within the notch. The shape of the tab and notch, as illustrated in FIG. 8, also do not suggest a fit that would assist in securing the bracket to the frame. Instead, the shape of these elements suggests that if the bracket were not otherwise secured to the

frame, it could easily slip off of the frame. Therefore, Applicant asserts that adding additional alignment tabs 806 would not serve to assist or improve the method for securing the shield bracket to the frame. Similarly, it is not clear how, or even if, Buican could be modified to include the L-shaped notch 56 and lug 140 of Chen for securing the shield bracket to the chassis frame, as the Examiner suggests. The Examiner has not described how Buican could be modified to incorporate these features of Chen and Applicant asserts that even if combined, the combination would not teach all the limitations of Applicant's claims. For example, adding symmetric L-shaped nicks 56 and corresponding lugs 140 would not teach the staggered tabs of claim 1, and nothing in either reference suggests a reason that they should be staggered.

In addition, Buican already employs a different mechanism for securing bracket 701 to window ledge 801 of the computer system chassis (specifically, snap fingers 705.) Therefore, there would be no motivation to modify Buican to include the L-shaped notch 56 and lug 140 of Chen for securing the shield bracket to the chassis frame, as the Examiner suggests.

In the Office Action mailed April 13, 2006 the Examiner admitted that Buican is silent as to a sliding bracket, but submitted that the shield bracket would have to be slid (horizontally) toward the opening (801) by the user, in order to mount the bracket and cover the opening (801) of the computer chassis. Applicant argued that this action is clearly not the same as sliding the shield bracket between a retaining portion of each of the plurality of tabs and a surface of the frame, as recited in claim 1, and that alignment tab 806 in Buican is specifically designed in a way that would prevent such sliding. Thus, Buican actually teaches away from Applicant's claimed invention. Applicant's FIG. 2A illustrates one embodiment of a shield bracket 103 sliding into place between a retaining portion of each of a plurality of tabs 112 and a surface of the frame 101. It is clear that a frame including one or more of the alignment tabs 806 of Buican would prevent a shield bracket from sliding into place in the manner that the shield bracket in this embodiment does. As discussed above, Chen also clearly does not teach the shield

bracket of Applicant's claims, or any bracket slidable between a retaining portion of each of a plurality of tabs and a surface of the frame.

In the Response to Arguments section of the Final Action, the Examiner again submits that Buican's bracket (701) has to be slid forward to engage the opening (801) and additionally notes that Chen teaches a bracket (130) to slidably cover an opening (52). However, nothing in the drawings or text of Chen teaches or suggests that power supply bracket 130 is slidable between a retaining portion of each of a plurality of tabs and a surface of the frame, as recited in Applicant's claim.

Applicant again reminds the Examiner that to establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Obviousness cannot be established by combining or modifying the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion or incentive to do so. *In re Bond*, 910 F. 2d 81, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990). As discussed above, the cited art, taken alone or in combination, does not teach or suggest all limitations of Applicant's claim 1.

For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested.

Independent claim 8 includes similar limitations to those discussed above regarding claim 1. Therefore the arguments presented apply with equal force to claim 8, as well.

Regarding claim 2, contrary to the Examiner's assertion, Buican in view of Chen and Curtis fails to teach or suggest *the apparatus as recited in claim 1 further comprising at least one spring finger inserted into a gap between the shield bracket and the frame*. The Examiner submits that Buican, as modified by Chen, teaches (in FIG. 9) at least one spring finger (705) inserted into a gap (803) between the shield bracket (701) and in

(801) of the frame (101) and additionally, a plurality of spring fingers (44) positioned in a gap between the shield bracket (130) and the frame of the chassis (20).

The Examiner cited Buican's snap finger 705, illustrated in FIG. 9, in the previous Office Action. Applicant argued that snap finger 705 is not inserted into a gap between Buican's shield bracket 701 and window ledge 801. Instead, each snap finger 705 is included on shield bracket 701 and "includes a detent 710 that resides in a circular detachment hole 803 of window ledge 801 when I/O shield bracket 701 is removable attached to window ledge 801." Therefore, these snap fingers are not inserted between shield bracket 701 and window ledge 801. Furthermore, these snap fingers 705 are not described as comprising any properties of a spring, and would not be considered spring fingers by one of ordinary skill in the art.

In the Response to Arguments section of the present Office Action, the Examiner submits, "With respect to Applicant's argument #6, regarding the snap finger (705) not being inserted into a gap, the Examiner respectfully disagrees and notes that snap finger (705) is inserted into a hole or opening between the frame (101) and the shield bracket (701) and additionally notes that Chen teaches a plurality of spring fingers (44) positioned in a gap between a shield bracket (130) and the frame of a chassis (20)." The Examiner is incorrect. First, FIG. 9 of Buican clearly illustrates that snap finger 705 is a protrusion of shield bracket 701 that overlaps window ledge 801 on the outside of window ledge 801 when the shield bracket is in place over the opening of window ledge 801. Thus, spring finger 705 is clearly not inserted into a gap between the shield bracket and the frame, as the Examiner suggests. In addition, the spring fingers 44 of Chen are formed along the edges of the front and bottom panels in order to press against the cover of the computer enclosure (e.g., to hold the cover on). They are clearly not positioned in a gap between power supply bracket 130 and the frame chassis 20, as the Examiner suggests (see, e.g., FIG. 3, which clearly illustrates spring fingers 44).

The Examiner further submits, "With respect to Applicant's argument #7, regarding the snap fingers (705) not being a snap finger, the Examiner respectfully

disagrees and notes that finger (705) functions as a snap finger, as the fingers allow the bracket (701) to be secured to the opening (see, col. 5, lines 25-35 of Buican et al.) and additionally notes that Chen teaches a plurality of snap fingers (44) around an opening (52)." First, the Examiner has mischaracterized Applicant's argument. Applicant argued that snap finger 705 are not described as comprising any properties of a spring, and would not be considered spring fingers by one of ordinary skill in the art. Second, the spring fingers 44 of Chen are not inserted in a gap between the shield bracket and the frame (e.g., to reduce gaps), but instead are formed along the edges of the front and bottom panels in order to press against the cover of the computer enclosure (e.g., to hold the cover on).

For at least the reasons above, the rejection of claim 2 is not supported by the cited art and removal thereof is respectfully requested.

Claim 9 includes similar limitations to those discussed above regarding claim 2. Therefore the arguments presented above apply with equal force to claim 9, as well.

Regarding claim 3, contrary to the Examiner's assertion, Buican in view of Chen and Curtis fails to teach or suggest *the apparatus as recited in claim 2, wherein the spring finger is made of a flexible electrically conductive material*. First, as discussed above, Buican's snap finger 705 and Chen's spring fingers 44 are clearly not equivalent to the spring finger of Applicant's claims. In addition, the Examiner admits that Buican is silent as to the spring finger being made of a flexible electrically conductive material, but submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize a flexible electrically conductive material in the spring finger as taught by Buican in order to maintain electrical and conductive continuity within a computer system comprising electrically conductive side panels. The Examiner's citation (column 1, lines 19-34) does not describe electrically conductive side panels. Therefore, Applicant assumes the Examiner means to cite column 3, lines 19-34 instead. While this passage states that, "A computer system chassis typically includes electrically conductive side panels..." it also states, "However some portions may be

made of non conductive materials such as e.g., plastic. Non conductive portions of a chassis may be coated with an electrically conductive substance for EM shielding purposes.” Therefore, Applicant submits that it would not be obvious to make a spring finger of an electrically conductive material. Furthermore, nothing in this citation, or elsewhere, suggests that a spring finger (or a snap finger 705) is made of a flexible material, as recited in Applicant’s claim 3.

The Examiner further submits that Curtis teaches spring fingers (98) mounted on a front shield (96) of an electronic component (84), wherein the spring fingers are made of an electrically conductive material, for providing electromagnetic interference containment and electrostatic discharge protection. The Examiner also submits that by utilizing this arrangement, the grounding connection between the electronic component and the chassis or cabinet (10) is enhanced or improved (citing column 7, lines 45-56). Applicant asserts that nothing in Curtis describes these spring fingers as being made of a flexible material, as recited in claim 3.

In the Response to Arguments section of the Final Action, the Examiner again asserts, “it would have been obvious to utilize a flexible electrically conductive material in the snap finger (705) of Buican et al,” but does not provide a reason why this would be obvious. The Examiner also submits, “Additionally, Chen teaches a flexible electrically conductive spring finger 44.” **Applicant asserts, however, that this statement is unsupported in the cited art. Nothing in Chen describes spring finger 44 as flexible or as electrically conductive.**

For at least the reasons above, the rejection of claim 3 is not supported by the cited art and removal thereof is respectfully requested.

Claim 10 includes similar limitations to those discussed above regarding claim 3. Therefore the arguments presented above apply with equal force to claim 10, as well.

Regarding claim 4, contrary to the Examiner's assertion, Buican in view of Chen and Curtis fails to teach or suggest *the apparatus as recited in claim 1, further comprising a fastener, wherein the fastener is coupled to the secure the shield bracket to the frame*. In the previous Office Action, the Examiner submitted that Buican teaches a fastener in column 3, lines 42-48; column 5, lines 34-55; and column 5, lines 44-47. Applicant argued, however, that these passages do not describe a fastener that is *coupled to secure the shield bracket to the frame*. Rather, they describe various I/O connectors (i.e., electrical connectors), such as RS 232 connectors, USB connectors, SCSI connectors, etc., that pass through holes 714 in a plate 721 of shield bracket 701.

In the Response to Arguments section of the Final Action, the Examiner submits, "With respect to Applicant's argument #9, regarding the Buican et al. not teaching a fastener, the Examiner respectfully notes that projections (see, fig. 9 of Buican et al.) of snap fingers (705), enable the bracket to be fastened to the opening (801) and additionally teaches fastening holes located on the perimeter of the opening." Applicant notes that this contradicts the Examiner's earlier remarks in which he equates the snap fingers (705) of Buican with the spring finger of Applicant's claims. Applicant asserts that snap fingers (705) clearly cannot be both the spring finger of Applicant's claims and the fastener of Applicant's claims, as these two elements of Applicant's invention are clearly not the same (and serve different purposes).

For at least the reasons above, the rejection of claim 4 is not supported by the cited art and removal thereof is respectfully requested.

Claim 11 includes similar limitations to those discussed above regarding claim 4. Therefore the arguments presented above apply with equal force to claim 11, as well.

Regarding claims 6 and 7, contrary to the Examiner's assertion, Buican in view of Chen and Curtis does not teach or suggest *wherein the electrically conductive material includes copper* (as in claim 6) or *wherein the electrically conductive material includes beryllium* (as in claim 7). The Examiner submits that the cited references teach that the

frame and the shield bracket are made of a flexible electrically conductive material (as recited in claim 1) but admits that the cited references are silent as to the material specifically including copper or beryllium. The Examiner first submits, “It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize copper as the electrically conductive material in the invention of Buican et al., as modified by Chen and Curtis et al., in order to provide an equivalent electrically conductive material for maintaining continuity within a computer system comprising an electrically conductive frame of Buican et al., as modified by Chen & Curtis et al.” The Examiner then submits that it would have been obvious to utilize beryllium for the same reason. Applicant asserts that (contrary to the Examiner’s assertion) while the cited references include descriptions of frame components being made of electrically conductive materials, they do not describe them as being made of flexible electrically conductive materials, as required by Applicant’s claim 1 (and thus, claims 6 and 7). There is nothing in the cited references that teaches or suggests that the particular material chosen should be a flexible material, or that such flexible materials should include copper or beryllium. In fact, the only material specifically mentioned in Buican as being suitable for making an I/O shield bracket is galvanized steel, which would not be considered flexible by those of ordinary skill in the art. Given the single example of galvanized steel as a suitable material for the I/O shield bracket, Applicant asserts that it would not be obvious to construct the shield bracket of a flexible material instead.

For at least the reasons above, the rejection of claims 6 and 7 are not supported by the cited art and removal thereof is respectfully requested.

Claims 13 and 14 include similar limitations to those discussed above regarding claims 6 and 7. Therefore the arguments presented above apply with equal force to these claims, as well.

## CONCLUSION

Applicant submits the application is in condition for allowance, and prompt notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-74100/RCK.

Also enclosed herewith are the following items:

- Return Receipt Postcard
- Petition for Extension of Time
- Notice of Change of Address
- Other:

Respectfully submitted,

/Robert C. Kowert/

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